Case Number

88- 1817

Supreme Court, U.S.
FILED
MAY 9 1989
JOSEPH F. SPANIOL, JR.
CLERK

IN THE

United States SUPREME Court

SPRING TERM 1989

PETITION FOR WRIT OF CERTIORARI

JOHN G. BARROW JR.
Plaintiff - Appellant - Petitioner
vs.
HAROLD B. WAHL et. al.
Defendant - Appellee - Respondant

ON WRIT OF CERTIORARI FROM THE U.S. COURT OF APPEALS, ELEVENTH CIRCUIT ATLANTA, GEORGIA

John G. Barrow Jr.
A Layman without legal education
Rt. 1 Box 470
Callahan, Florida 32011
(904) 845-2475

PREFACE

Irrespective of any facts, or issues or Magistrate's fraudulent allegations the paramount questions that Years and Burns for an answer are:

1. On what date was there a Meaningful Notice of Hearing on any one of the issues ?

2) On what date was the jury selected and what is their names ?

3. With all persons being entitled to "A Day In Court" why is it that in twenty (20) actions filed this Petitioner has not had one day in Court, or any adjudication of any one issue in any one of twenty cases.

HUMAN RIGHTS

Why should the Russins Embassy not be shown the most technical aspect of the Constitutional rights afforded John G Barrow?

Should anyone have even to a Twinge of mis-understanding,that person should Neal Down and Pray to God Almighty for Wisdom to understand how;

ONE HUNDRED THIRTY TWO THOUSAND, THREE HUNDRED EIGHTY THREE DOLLARS, OF CRUEL AND UNJUST SANCTIONS,AS A CURSE BEING INFLICTED UPON THIS PETITIONER, as a reward for a Good Faith effort to obtain " Redress of Grievances" can be the American Way ?

WOULD YOU LIKE TO KNOW
WHO THE JUDGMENTS ARE FOR ?

JUDGE JAMES HARRISON
JUDGE HENRY F MARTIN
JUDGE KENNETY E COOKSEY
JUDGE GOLDBERG
JUDGE LAWRENCE PAGE HADDOCK
JUDGE VERNON DOUGLAS
JUDGE LYNN C HIGBY
JUDGE WILLIAM STAFFORD
(JUDGE HANDLING) WAHL
JUDGE BEN C WILLIS
AND OTHERS

CHAPTER (a) QUESTIONS PRESENTED TO BE REVIEWED

1) (Judge Handling) Wahl did in his Acts as self appointed Prosecutor, (Handle) Judge Haddock in a sufficient manner as to cause Judge Haddock to have this Petitioner thrown in the Federal Detention Center at Yulee, Florida.

a) Without Counsel.

b) Without Notice or time to prepare.

c) Without confrontation of any witnesses.

d) Without bond so as to insure that this Petitioner would have to serve the full sentance.

QUESTION : Did Defendant Wahl and Defendant Haddock invade, rape and assassinate this Petitioner's constitutional Rights? See: Chapter (h) page (h-3) of Appendix. (" JUDGE HADDOCK'S MISTAKE " of false imprisonment of this Petitioner admitted.

2) The Intent of the District Court is self evident by the admission thereof by Harvey E Schlesinger.

a-2.)

Defendant's " Counsel obtained results sought; dismissal of the case prior to trial, and relief from harrassment of the suit" Without Due Process.

MULTIPLE CHOICE

a) Is Schlesinger's admission a declaration of conspiracy by the court and the Defendants Counsel "

b) Due Process of Law (Judge Handling) Wahl's style ?

c) American Justice and protection of the law, equal to that afforded others ?

d) Just Pure Unadulterated corruption , justified by Florida Statute 877.01(4) Fee Splitting made legal , $132,383.38 Dollars worth ?

3) Does this United States Supreme Court believe that (Judge Handling) Wahl ;

a) Can appoint himself prosecutor ?

b) Cause this Petitioner to be thrown in the Federal Detention Center without defense, without bond ?

c) Cause Judge Hodges to dismiss Petitioner's

b) * * CERTIFICATE OF INTERESTED PERSONS

Emory King
Geofrey Dobson
James Harrison
Richard Weinberg
Edward Kelly
Richard King
Stephen Durant
Hancock/Oglethrope
Hudiberg
Charles Pickett
Gene Blackweilder
John Claxton
Joanne Kirkland
Wade Sparkmen
David Page Jr
John Miller
Joseph Balkcom
Ben C Higby
William Stafford
Morris Communications
Michael Conway
David Evans
Paul Levy
Gary Williams
Jann Ferrell
George Krahdelt
Bruce Barkett
John Lawlow III
Jim McLauhlin
Rauson Haverty
St Johns County
William Townsend
A.G. Nichols III
Lois Partin
Francis O'Loughlin
Barbara Sieberts
Jason Vail

b) * * CERTIFICATE OF INTERESTED PERSONS

Hazle Jones
Douglas Jones
David Conn
Michael Woodleif
Leo Foster
T.B. Bird
Chester Hamilton Estate
Kenneth Cooksey
Eleanor B Hawkins
Mammie V Capps
L. Page Haddock
Henry F Martin
Irene Scott
Willie Fortenberry
WM. R. MCCants
Thomas D MacNamara
Charles Pellicer
Winifred Hill
Greogary A Presnell
Robert Merkle
Dorothea Beene
Marka Lancaster
Hillary Burdent
Donald Cinnomond
Marshall Wood
Linda Hurst
Dennis Hollingsworth
Michael Millhorne
Haverty Furniture Co.
Ronald Palmer
Frank Upchurch
Florida Power & Light Co.
American Telephone & Tellgraph
James Sisco
Jack Shaw
Harris Brown
Joseph Lewis
Gayle Swedmakk
Jack Gibney

b) * * CERTIFICATE OF INTERESTED PERSONS

John Moore
W.T. Hodges
Harvey Schlesinger
Susan Black
Magistrate Snider
Charles Hood
Ed Brooks
Bullock & Childs
Michael Mullin
Marlin Feagle
Harold Wahl
Carl Markel
Jim Bishop
D.A.C. Corp
William Rose
Gary Allen
F.H.S.
James Peters
Jim Smith
Robert Butterworth
Dolvin Foreman
Clay Coward
Jann Johnson
Robert Smith
Marie Smith
Martin, Ade,Birthfield & Johnson
Akerman, Senterfitt & Edson
Henry C Adams
Scott Conley
Lawrence C Rolfe
Ronald MacComber

James Higginbotham
James Testone

Tom Brannan
Jim Higginbotham

b-4.)

b) * * CERTIFICATE OF INTERESTED PERSONS

Harold Wayne (On State payroll)
Internal Revenue Service
Vernon Douglas (On State Payroll)
Eugene Christain
Eddie Anderson
William Hailey
Mike Noone
St Petersburg Times
Scott Livingston
Southern Bell- Michael Millhorne
T.J. Grreson (on State payroll)
James Page (On State payroll)
Tampa Tribune
News Leader
Orlando Sential
Roosevelt Baker
Nassau County Record
Laura Cook
Ernie Mastronni
Jack Reed
Gammett Channel 12 WTLV
H. Ray Walker (On State payroll)
Florida Times Union
John T Wilkins
Bob Zankle
Douglas Pate.

This Orator would love to remove most of the name from the above list however this would leave the Certificate of interested parties incomplete and short of being truthful with this Honorable Supreme Court.

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CITATIONS OF AUTHORITY
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Contential Telephone v Alabama Pub Serv-ce Comm (Ala Sup) 1982 427 So 2d 981	g-21)
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Douglas v Jeanett 319 US 157 63 S Ct 877 87 L ed 1324	i-2)
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Smith v Allwright 231 US 167 81 S Ct 5 L Ed 987	i-2)
Sniadach v Family Finance Corp 195 US 337 89 S Ct 1820 23 L Ed 2d 334	f-1)
Parrott v Taylor 101 S Ct 1908	f-2)
U.S? v Ritter 10 Cir 273 F 2d 52 cert den 362 US 950 S Ct 863 4 L Ed 2d	f-2)

d) * * A REFERENCE TO THE OFFICIAL

AND UNOFFICIAL REPORT OF ANY
OPINION DELIVERED IN THE COURT

1) There has been no court.

2) As a matter of fact, there has been no Notice of Hearing on any of the issues.

3) There has been no Judge except for the "Mail Order" Sears Roebuck style of Hodges 250 miles away.

4) No Confrontation of any witnesses.

5) No evidence adduced.

6) No responsive pleadings.

Only fraudulent averments of the adversary, the court itself, all couched upon Schlesinger's Defendants:

" Counsel obtained the results sought; dismissal of the case prior to trial, and relief from the immediate harassment of the suit"

In as much as the U.S. Federal Court with their co-conspirators seeking dismissal without due process, what would you expect the findings of the court to be ?

PROOF OF INJUSTICE

This court is invited to examine the Docket Sheet, You will find proof that;

1) This Action has not come before the court for trial by jury.

2) The issues have not been tried.

3) And the jury has not rendered any verdict. *(look for the date of the verdict, it can't be found)*

4) As there has been no jury. SEE U.S.C.A. Amend. 7 "Unconstitutional abuse"

a) It matters not how many times, The Judge Hodges Mob dismisses a case, "without due process of law", it is VOID because of U.S.C.A. Amend. 5.

b) It matters not how many times (Judge Handling) Wahl's Buddy Buddy Tjoflat and Hatchett, (all Brothers in the Jacksonville Bar) affirms Hodges VOID decisions, the decision in this action is still an AFFIRMED VOID DECISION because of U.S.C.A. Amend 5 "reached without Due Process, is VOID."

SEE Morrissey v Brewer 92 S, Ct. @ 2605.
"Evidence and Reason, in Written Form"

There has been no responsive pleeding!

e) * * STATEMENT OF JURISDICTION

The subject matter set forth in the complaint and the Amended Complaint does arise under the Constitution of these United State and is within 28 S 1343 U.S.C.A. S 1343 Article III Sec. 2 of the Federal Constitution provides that:

" The judicial power shall extend to all cases in law and equity arising under the Constitution of the United States and Treaties and or shall be made under their authority"

It is clear that the Cause of Action is one which "arises under" the Federal Constitution. Since the Complaint plainly sets forth a Case arising under the Constitution the subject matter is within the Federal judicial power defined in Article III Sec. 2, and so within the power of Congress to assign to the jurisdiction of the District Court.Congress has exercised that power. 28 U.S.C. S 1343 (3) 28 U.S.C.A. S 1343(3)

" The District Court shall have original jurisdiction of any civil action authorized by law".

Against State infringement by the equal protection and due process clauses of the fourteenth Amendment.

Douglas v Jeanette, 319 US 157 63 S.Ct. 8 L Ed 1324
Srefane v Minard, 342 US 117 S.Ct.118 96 L Ed 138 ef.
Nixon v Herndon 273 US 516 74 S.Ct.446 71 L Ed 59
Nixon v Gordon 286 US 73 S.Ct.484 76 L Ed 759
Snowden v Hughes 321 US 649 64 S.Ct.757 86 L Ed 987
Smith v AllWright 321 US 649 84 S.Ct.757 65 L ed 987.
Monroe v Pape 356 US 167 81 S.Ct.473,5 L Ed 2d 492
Egan v Anrora 356 US 514 81 S.Ct.648 5 L Ed 714
42 U.S.C.A. S 1983 42 U.S.C.S 1983

Provides:

" Every person under any color of any statue ordinance, regulation,custom or usage of any State or Territory or causes to be sub-jected any citizen of the United States or other person within the jurisdiction thereof; to the deprivation of any rights, privileges or immunities secured by the Constitution and laws shall be liable to the party injured in an action at law, suit in equity or other proper proceedings for redress"

The issuance by the Court of any extraordinary writ authorized by 28 U.S.C. S 1651 (a). Federal Jurisdiction is asserted under R.S. S 1979 and 28 U.S.C. S 1343 and 28 U.S.C S 1331, 28 U.S.C.A. S 1331.

The decision of the court of first instance as well as the Decision of the 11th Circuit Court of Appeals are in conflict with the decisions of other Federal Courts of Appeals on the same matter. There has been no Federal Rules of Civil Procedure Rule 7(a) answer to each averment. There has been no opportunity to be heard.

There has been no confrontation of witnesses There has been no responsive pleadings.

All Federal Questions have been ignored.

1) The unlawful taking of property without full and just compensation.

2) The denial of due process of law, repugnant to our constitution.

3) The denial of protection of the law, equal to that afforded others and especially the 11th Circuit has sanctioned.

e-4.)

(a) The void decision of the lower court

b) The infliction of cruel and unjust punishment to the tune of ONE HUNDRED THIRTY TWO THOUSAND,THREE HUNDRED EIGHTY THREE AND 38/100th DOLLARS up to date.

With Hodges,Wahl and Tjoflat begging for more,Bribes.

c) And now, the 11th Circuit beggs for more sanctions on behalf of Bribe-begging Vail. This is such a departure by the 11th circuit Court of Appeals from other Courts, as to call for the exercise of this United States Supreme Courts power of supervision.

The intiial question of Federal Law that should be settled by this Supreme Court is:

1) The corruption and conspiracy in the Wahl Hodges court such as;

Defendants; " Counsel obtained results sought dismissal of the case prior to trial, and relief from harassment of the suit"

2) ONE HUNDRED THIRTY TWO, THOUSAND,THREE HUNDRED EIGHTY THREE AND38/100th DOLLARS

already inflicted and still the 11th Circuit demands more Cruel and unjust Punishment.

i) * * There has been no Notice of any Hearing, or any of the dozens of issues.

* * No consideration of any material facts.

* * Primarily the only proceedings has been, the Defendants Motion to Dismiss and the erroneous allegations of the Magistrate always on behalf and in favor of the Defendants.

(ii) * * The date of the entry of judgment was the 12th day of May 1988.

This case was appealed for the third time. The 12th of May 1988 in the 11th Circuit Court of Appeals.

f) * * CONSTITUTIONAL PROVISIONS

ARTICLE 1, SECTION 25 provides:

" The courts shall be open to every person for redress of any injury, and justice shall be administered without sale" Denial or delay"

Our Constitution does not provide for "redress" of any injury. to be a scheme of entrapment to inflict upon poor pro se persons ONE HUNDRED THIRTY TWO THOUSAND THREE HUNDRED EIGHTY THREE and 38/100th DOLLARS, ($132,383.38) as punishment for having put fourth a Good-Faith effort to Petition the Federal Courts for redress of grievances.

NO HEARING HAD ON ANY ISSUE

In Sniadach v Family Finance Corp 195 U.S. 337 89 S.Ct.1820, 23 L Ed 2d 394
In Funtes v Shevin, 407 U.S. 92 S.Ct.1983 32 L Ed 2d 556 1972

The Courts Hold:

" The opportunity to be heard must precede any actual deprivation of private property"

f-2.)

In Arstrong v Manzo 380 U.S. 545 552 85 S.Ct.1187 1191 14 L Ed 2d 62 1963)

The Court Holds"

" Our past cases mandate that some kind of hearing is required at some time before a State finally deprives a person of his property interests. The fundamental requirement of due process is the opportunity to be heard and it is an 'opportunity . which must be granted at a meaningful time in a meaningful manner"

In Parrott v Taylor 101 S.Ct,1908

The Court Holds:

CONSTITUTIONAL LAW KEY 251 .6

Fundamental requirement of due process is OPPORTUNITY TO BE HEARD and is an opportunity which must be granted at meaningful time in in meaningful manner"

In This action the Docket will reveal that there has been no Due Process of Law no Hearing on the issues whatsoever !

" A Federal Court Judgment whether in a civil or a criminal case that is reached without due process of law is VOID U.S.C. A. Const. Amend 5

United States v Ritter 10 Cir 273 F 2d 30 32 cert den 362 US 950 S.Ct.863 4 L Ed 2d 869

Occidential Petroleum Corp v Chandler 10 Cir 303 F 2d 55 cert den 372 US 83 S.Ct.1288 718 9 L Ed 2d 722 reh den 373 US 81 S Ct 1288 10 L Ed 2d 201.

These Courts hold:

" The jurisdiction of this court to take action to guarantee a fair and impartial trial is no longer open to question, upon an adequate showing this court has held that it has the power and inescapable duty whether under the all writs statute 28 U.S.C.S 1651 or under its inherient powers of appellate jurisdiction to effectuate what seems to us to be manifest ends of justice"

g) CONCISE STATEMENT OF THE CASE

1) It is in response to and in compliance with the Order of Harvey E Schlesinger United States Magistrate, that this Plaintiff does herewith Amend his Complaint in the style which will meet the Narrow guidelines of his Honor's Order dated the 7th day of February 1986.

2) This plaintiff Sues Harold B Wahl as an individual, and L Page Haddock, as an individual for the unlawful violations of this plaintiff's Constitutional Rights which acts were committed ' under color of law'. Plaintiff has a right as a Citizen of these United States to seek Redress of said Grievances. Plaintiff therefore invokes the Constitution of these United States and all applicable Statutes.

Any and all citations are forbidden by Order of the Court SEE: Order dated the 5th day of February 1986.

J U R I S D I C T I O N

3) The State Courts are forbidden to

adjudicate Commerce litigation because Congress has reserved unto itself all matters in the regulation of Interstate Commerce. (citation forbidden)

4) State Courts are not a prerequisite to Federal Court Action. (citation forbidden) .

5) The unlawful violation of plaintiff's Constitutional Rights are a Federal Question (citation forbidden).

6) Plaintiff has a right to seek Redress of Grievances under. (citation forbidden)

7) For the unlawful violation by State Officials and their co-horts to deprive certain Amendment Rights especially under color of State Law is repugnant to certain laws and are therefore a Federal Question.

8) Such unlawful violations being incubated in a Collusion is also a Federal Question, (citation forbidden by the Court)

9) Conspiracy does not have to be proven. It was more than a hundred years ago the Court rulled that it is up to Defendant

to prove his defense by statute giving authority of their act, especially when involved by and between two or more individuals (citation forbidden) conspiring to participate in a pattern of Racket eering.

10) There is no claim of diversity however, the followirg facts are all couched upon the Coddeling of the devine interest of the Giant Conglomerate the American Telephone and Telegraph Company's multi - Billion Dollar enterprise, whose acts are repugnant to the Constitution.

This facility is inter-continental , interstate and can be adjudicated only in the Federal Courts, Racketeering requires only connectuon with interstate commerce.

F A C T S

11) For more than 25 years One Harold B Wahl has hasseled this plaintiff in a venditta of Blood Feiud Fashion because of the illegal occupation of plaintiff's land

by the Giant Conglomerate the American Telephone and Telegraph Compnay's Multi-Billion Dollar intercontinental facility

12) The threat of sanctions by the Order of the 7th day of February 1986, is not necessary, as the public records will reveal that the verification of the unlawful acts.

13) There are several (forbidden citations) that also bear out these facts.

14) This particular Action stems from the various abuses of the Legal Process by Defendant Wahl and the various Judges of the 4th Judicial Circuit of Florida in Jacksonville.

15) So as to Wet Nurse an alleged easement that the American Telephone and Telegraph Company does not have, Harold B Wahl has caused this plaintiff to be dragged into Court time after time, without any legitimate cause of Action as to strengthen the illegal possession of plaintiff's real property.

16) After several battles with American Telephone and Telegraph company dragging this plaintiff to court there was a Prank pulled by a Group of men in the Nassau County Courthouse, which was falsely

blamed on Barrow.

17) Shortly thereafter, Harold B Wahl had Barrow back in court. Lamar Weingart Granted a permanent injunction against the Plaintiff because of a Courthouse Prank according to Lamar Weingart.

18) Judge Tyre A Boyer said, that Weingart would have never signed the permanent injunction Order if it had not been for the paper (with a Poem) thereon being left in Chambers by Plaintiff which of course was of no truth whatsoever,

19) Then in March of 1981 Harold B Wahl **again caused** Barrow to appear in State Court. This time before Henry F Martin Jr.

20) The Telephone Company had 3 or 4 wit-

nesses, and this plaintiff had 2 or 3 witnesses, any how Judge Martin ruled that all the evidence was in Barrow's favor, however he would grant the contempt Order anyhow because that American Telephone and Telegraph was a public utility. The script signed by Martin that Harold B Wahl wrote was a different story. Be that as it may, One Henry F Martin·Jr was transgressing plaintiff's constitutional rights because Mr Martin State Judge was beyond the puter permeter of his jurisdiction therefore, Martin's Contempt Order was not a judicial act and therefore VOID. Judge Martin did abuse the legal process by his Contempt Order to accomodate the deep pockets of the Giant Conglomerate American Telephone and Telegraph company.

21) Then in the Month of February 1981, this plaintiff had need to go across the alleged easement with a drainage ditch for a natural drain.

22) After much negotiation with the Giant trespasser A.T.& T. Mr Tolor agreed to place a Culvert by digging out the dirt under the Cable.

23) Before the day of performance, as agreed by the two parties, Tolar backed out getting word to plaintiff that Barrow would have to buy the Culvert to protect the American Telephone and Telegraph Company's Cable which never happened.

24) Then about March 20, 1982 by agreement with Barrow the American Telephone and Telegraph Company paid a crew of workmen headed by one fine Gentleman Felts to dig a drainage ditch across the alleged easement R/W and by hand tools.

25) As Mr Thomas Felts threw the last shoval full of dirt from the ditch that the American Telephone and Telegraph Co. was paying to have dug, Mr Felts remarked " wonder what is going to happen when it rains " ? No one had to explain to him he,

knew. He was Communications Techinican in charge of Security of the Multi-Billion Dollar cable and since it was obvious that the Giant Conglomerate knew that there would be a Gully-Wash, then Barrow had no reason to do their Brain Work for them.

26) a) The rain fell down from the Haevens

b) The Gully was washed.

c) Barrow had a natural drain.

d) The cable was no longer burried.

e) There was 3 Ft to 4 Ft exposed to the air, however, there was absolutely no damage to the cable by acts of plaintiff who had no hand in the ditch across the alleged easement and the cable was exposed only because American Telephone and Telegraph Company paid Thomas Felts and Crew to dig the smaller ditch and the remainder was an Act of God Almighty and his rain from the Heavens.

27) Now, the Telephone Company was hot as Two and a half Hells, because Barrow had

a Natural drain.

28) Without authority they used Barrow's dirt to fill the ditch back up.

29) God Almighty gave us more rain, naturally the ditch washed again.

30) This time the American Telephone and Telegraph Company brought in sand bags and did half a job damning the drainage ditch and both sides of the alleged R/W and again blocking the natural drain with more of Barrow's soil.

31) The Earthen Dam even though the sand bags were there washed with the next rain also, because the rain again washed the common dirt and one sand bag out, Barrow was thrown in jail in the Federal Prison at Yilee, Florida.

32) Barrow was not in Contempt.

33) Barrow has never in his life molested with the cable in any way whatsoever.

34) There were two reasons for Haddock having Barrow thrown in Jail.

g-10.)

a) One was because months on end before Barrow had an attorney who had filed a suit against Nassau County, State of Florida and Gwin Miller, Tax Collector of Nassau County for $50,000.000.00.

b) Haddock granted a hearing on this pending case for the 25th day of May 1982.

c) By locking Barrow up, Barrow was not at liberty to appear anywhere and for this reason that Haddock had unconstitutionally seized Barrow's freedom, without cause, Barrow was never from prison going to escape to be at Haddock's Kangaroo Court.

d) Since Barrow did not break out of jail it appears naturally as planned by Haddock dismissed Barrow's case WITH PREJUDICE. Naturally this act is obviously the plan that was incubated by Haddock et al. to begin with.

35) The second reason for Haddock having Barrow thrown in jail was Prosecutor

Wahl.

36) On May 20 only five days before Haddock's dismissal of Barrow's $50,000.000.00 Civil Suit hearing in Haddock's court whereupon, Barrow had arranged for two witnesses Fred and Mae Bell Bray.

37) Barrow and Wahl arrived at the Court House about the same time.

On entering the Courthouse Jerry Greeson Clerk of the Court way-laid Wahl to tell him that a friend was in his office to see him.

38) Wahl went into Jerry Greeson's office Clerk of the Court whereupon three individuals walked out in about three minutes.

a) Harold Wahl.

b) Fred Bray.

c) Mae Bell Bray.

39) Obviously the discussion behind colsed doors was how to double cross Barrow and for how much , A.T.&.T would pay to them?

Real Fair Play and Substantial Justice !

g-12.)

Harold B Wahl Style !

40) Fred Bray was called to testify. Mr Bray did Dogmatically protest about being sworn in, as he was going to lie anyway.

41) Fred Bray be-damned that if Mae Bell Bray his wife, was called to testify that she would have a heart attack, she was all upset.

42) No one had to be a Genius to invision that Harold B Wahl the prosecutor had bought them out.

43) From the time Harold Wahl hit the first step of the courthouse until court started Harold Wahl had one continuous Song and Dance " Barrow has got to be locked up" Barrow has got to be locked up"

44) Harold Wahl gave the Court Reporter several sheets of paper, naturally prosecutor Wahl did not intend that Barrow see how many hundred dollar bills was between the several sheets of paper, this was in

the main Courthouse.

45) Barrow constantly asked Haddock to bring forth witnesses who could or would testify that Barrow had tampered with the Cable in any fashion.

46) Barrow constantly demanded to know how Barrow was in contempt for what alleged Act ? And also the damage done and cost of which alleged act ?

47) All Haddock did say is that " Barrow you know something about everything " You knew the rain would gully wash the Cable line drainage ditch.

48) This Barrow could not deny, the American Telephone and Telegraph Company KNEW that was what would happen, when they dug the ditch, but they did not go to Federal Prison because Barrow did not have a Big Enough Bank Roll to split fees legally pursuant to F.S. 877.01(4) with Haddock, so as to have the Telephone Company locked up in the Federal Prison also.

g-14.)

49) Barrow was without recourse the contempt Order to be jailed was without Bond.

50) Judge Boyer would not even call back. Attorney Lawrence C Rolfe would not even call back. No one could help or could help because of the WITHOUT BOND and naturally, " Under Color of Law" because of denial of right to confrontation of witnesses to TESTIFY HOW Barrow molested with the cable to be in contempt.

CONGRESS TO OCCUPY THE FIELD TO THE EXCLUSION OF STATE COURT, NATURALLY TO HAROLD B WAHL AS WELL.

51) After the Act of June 18, 1910, there was no room for the exercise by the State Courts to regulate questions concerning the Carriers liability neither ------

The expost facto laws of Weingart nor,
The ex post facto laws of Haddock, nor
The expost facto laws of One Harold B Wahl.
Enjoy no privileges superior to the intent of Congress of these United States of America.

52) Weingart trangressed plaintiff's acts beyond the outer permeter of his jurisdiction.

53) Weingart did abuse the legal process because of enmity, maliciousness, wantonness and madness.

54) Weingart did transgress plaintiff's constitutional rights.

55) Henry F Martin did transgress plaintiff's constitutional rights as the acts committed by him were not judicial acts because inter-State Communications liabilities are to be governed soley by federal law and states are precluded from acting in such cases.

56) Lawrence P Haddock has also committed transgressions of plaintiff's rights by sticking his nose in District Court's jurisdiction . " Acts of Congress regulations of commerce truly way out in orbit beyond the outer premeter of his jurisdiction.

57) Haddock did abuse the legal process

because of enmity of this plaintiff, maliciousness and wantonness.

58) But Prosecutor Wahl --- Wahl is a Menance to the very concept of Justice !

59) The Giant Multi-Billion Dollar conglomerate American Telephone and Telegraph Company is not satisfied with their Gigantic Hords of Green Molding in the Bank---- BanksVaults over the World, they now have announced plans for a light-guided cable (fiber-optic) installation to more than double their take -- by putting to Base Use the Poor, Ignorant Dirt Farmers through out the Nation who pay the taxes, to maintain the ' under color of law" State Court to protest their project.

1984 THE ANNOUNCEMENT OF THE NEW MULTI-BILLION DOLLAR INSTALLATION

On or about the 26th day of September, 1984, a fine Gentleman called upon Plaintiff at his residence. This man was Robert D Summey, Supervisor Real Estate Communications Division of American Telephone and Tele-

graph Company 1200 Peachtreet St N.E. Atlanta, Georgia which is under the supervision of the legal department Atlanta Division of A.T.& T.

61) Mr Summey and this plaintiff did visit the site of the present installation of the Multi-Billion dollar facility.

Then and there plaintiff learned of the plans of the Giant Interstate Communications Conglomerate intentions to bury , many many cables, light Optic cables 5 Ft east of the present Multi-Billion Dollar cable.

62) The purpose of this visit was to inform the land owners of their having a crew of surveyors within two weeks of that day to cross plaintiff's property.

We discussed at length negotiations for an easement however Summey made plaintiff no offer and neither did plaintiff make any offer in spite of Summey's insistance.

63) Then on Sunday afternoon, Mr Summey returned this time with the Free-Bees explaining that the trinkets were not a bribe,

contrariwise this was Rent in FULL !

64) We already knew that the trinkets that American Telephone and Telegraph Co. is not bribes. The trinkets are what American Telephone and Telegraph Company believes to be the landowners share of the gross income for being harassed year in and year out, on and on, and being thrown in Federal Prison for tampering with the cable that never happened and paying the ad val orem taxes on the property for the pleasure and pecuniary gain of the Holier than Thou God Almighty American Telephone and Telegraph Company.

65) Without any provication whatsoever without authority whatsoever, Harold B Wahl set himself up as judge and jury and superior to all supreme courts and caused the Sheriff of Nassau County to serve " A NOTICE TO DEFENDANT" He alleged.

What it amounts to is a Masterpiece of Lies

and Coercion designed to continue to harass Plaintiff and his family.

66) If ever there was a " Masterpiece of " Color of Law" Harold B Wahl and his Writ delivered by the Nassau County Deputy Sheriff on the 5th day of October, 1984 is it !

67) Plaintiff would not be surprised to see Harold Wahl try a Citizens Arrest, to have Barrow locked up again.

68) While American Telephone and Telegraph Company out of Atlanta Legal Department trys desperately to arbitrate with Barrow, Wahl pushes F.S, 877.01(4) litigation.

69) Robert Summey did offer $5,000.00 for a right to run the new cable through. He specifically stated that it was not an offer.

g-20.)

1) Federal Rules of Civil Procedure Rule 8(b) " A party shall state in short and plain terms his defense. TO EACH CLAIM ASSERTED and SHALL ADMIT OR DENY the averments upon which the adverse party relies"

2) In this case and controversy the adverse party is the United States Court System. The Court Wm T. Hodges, the prosecutor (Judge handling) Wahl, Harvey E Schlesinger does file 99% of all adversary pleadings. Almost no resistence by the various defendants, Counsel is necessary. (Judge Handling) Wahl has organized a scheme by which Harvey E Schlesinger provides a Total Defense for all defendants in all of these cases illegally consolidated by the Court. SEE: Edwards v E.I. DuPonte De Mumers 183 F 2d 156 (5th

3) Again, Federal Rules of Civil Procedure

> Rule 8(d) EFFECT OF FAILURE TO DENY averments in a pleading to which a responsive pleading is required. Other than those as to amount of damage, are admitted when not denied in the responsive pleading

4) The defendants counsel has never offered a responsive pleading. Please check the docket sheet.

h) * * REVIEW OF THE JUDGMENT

The judgment in this Action is not the results of any Hearing on any Issue of any Complaint.

There has been from the very Genisis of this Action, but one dogmatic intent which has been NOT only admitted by the Central Figures in this Federal Court Conspiracy, But Highly BOASTED by H.E. Schlesinger,

SEE Schlesinger's Report and Recommendation Page 8, Paragraph 8, The Court and Defend - ant's " Counsel obtained results sought; dismissal of the case prior to trial," (without any due process whatsoever) .

A disgrace to the Human Race. The excuse is that the Complaint is frivolous.

All Complaints would be such, as could not be proven, if they were handled in such a way as to deny any hearing on any Issue, as is the case at hand.

The Court of First Instance has ignored the Federal Questions involved and though it

is hard to believe the 11th Circuit has affirmed these VOID DECISIONS - Void because of no Due Process of Law. SEE: U.S.C. A. Const. Amedn 5 and see also U.S.C.A. Const. Amend 7.

The Federal Questions contained in the Complaint were timely raised and properly raised, however, all questions Federal and otherwise, have been ignored by District Court and the Court of Appeals.

All that is of interest to these Courts is to promulgate sanctions without any hearing on the appropriateness of Sanctions FOR THE PURPOSE OF COERCION.

Except for the matter of sanctions, there has been no adjudication of any issue or material Fact. Wherefore, the judgment in this Action are only for Extortion by force of the court to provide FOR Spoils to be split pursuant to F.S. 877.01(4). Unless it pretains to Sanctions totaling as of this date.

ONE HUNDRED THIRTY TWO THOUSAND, THREE HUNDRED EIGHTY THREE AND 38/100th DOLLARS there is no Judgment to be reviewed. As there has been NO HEARING ON THE ISSUES HAD. No Confrontation of witnesses, No evidence adduced, no excuse of any adjudication.

In Padovant v Brachenusen 293 F 2d 546;

The United States Appeals Court points out;

" A plaintiff cannot be deprived of his rights without a trial, even if the trial promises to be long and burdensome"

Under the federal rules a Plaintiff pleads facts, not law, and the law is to bw supplied by the court" Fed. Rules of Civil Procedure Rule 54 (c) 28 U.S.C.A.

i) * * BASIS FOR FEDERAL JURISDICTION
IN THE COURT OF FIRST INSTANCE

The subject matter set forth in the Complaint and the Amended Complaint does arise under the Constitution of the United States and is within 28 S 1343 U.S.C.A. S 1343.

Article III S 2 of the Federal Constitution provides that:

" The judicial power shall extend to all cases in law and equity, arising under this Constitution , the Laws of the United States and Treaties made or which shall be made under their authority"

It is clear that the Cause of Action is one which "arises under" the federal Constitution.

Since the Complaint plainly sets forth a case arising under the Constitution the subject matter is within the federal judicial power defined in Art III S 2 and so within the Power of Congress. to assign to the jurisdiction of the District Court, Congress has exercised that power in 28 U.S.C. S 1343

(3) 28 U.S.C.A. S 1343 (3)

The District court shall have original jurisdiction of any civil action authorized by law"

The court has frequently sustained District Court jurisdiction under 28 U.S.C. S 1343 (3) 28 U.S.C.A. S 1343 (3) against State infringement by the Equal Protection and Due Process Clauses of the Fourteenth Amendment.

Douglas v Jeanette 319 US 157 63 S.Ct.877 87 L ed 1324
Srefane v Minard 142 US 117, 72 S.Ct.118 96 L Ed 138 ef
Nixon v Herdon 273 US 356 47 S.Ct.466 71 L Ed 759
Nixon v Gordon 286 US 73 52 S.Ct.484 76 L ed 984
Snowden v Hughes 321 IUS 64 S.Ct.397 88 L Ed 497
Smith v Allwright 231 US 649 64 S.Ct.757 88 L Ed 987
Monroe v Pape 356 US 167 81 S.Ct.5 L Ed 2d 492
Eagn v Anrora 356 US 514 81 S.Ct.684 5 L Ed 2d 714
42 U.S.C. S 1983 42 U.S.C.A. S 1983 Provides:

" Every person under color of any Statute, ordinnce, regulation custom or usage of any state, territory subjects or causes to be subjected any citizen of the United

States or other person within the Jurisdiction thereof to the deprivation of any rights, privileges or immunities accured by the Constitution and laws shall be liable to the party injured in an action at law suit in equity or other proper proceeding for redress"

STATUTORY GROUNDS FOR JURISDICTION ARE

28 U.S.C. s 1331- Federal Question
28 U.S.C.A. S 1331- Civil Rights
U.S.C. S 1343 Limit Jusisdictional No.
28 U.S.C.A. S 1343 -R.S. 1979
18 U.S.C. S 242 Color of Law
28 U.S.C. S 1346 (a) (12) Just Compensation
18 U.S.C.A. S 242 Color of Law
Wrongful Acts of State Official
U.S.C.A. 1985 (3) U.S.C. Const 13s 2
Discrimination Art IV S 2 U.S. Const.
28 U.S.C. S 41
28 U.S.C.A. S 41 (1)
Lack of Eniment Domain proceedings 28 USC S 1403
28 U.S.C. S 2281 Three Judge Dist. Court
28 U.S.C. S 1337 Original Jurisdiction.
S 20 Substantive office.Under color of law
42 U.S.C. S 1983 Damage & recovery
28 U.S.C. S 1442 (a) (1)
28 U.S.C. S 1442 (a) (3)
P.L. 87-748- 76 Sta (962 28 U.S.C. S 1361
This plaintiff hereby invokes the Constitution of the United States;
Especially;
Amendment V and XIV Due Process of law
Amendment V an XIV
Amnedment V and XIV Denial of property rights
Amendment VII Denial of property rights
Amendment I Redress of Grievances
Amendment VI Right to confrontation

Article 1 Sec 10 ex post facto laws

Article VI Authority of US Supreme Law clause 2.
42 U.S.C. pre-trial publicity fair trial impossible USCA Const A 6 6494
28 U.S.C. S 1346 (a) (12) Taking of property without just compensation

FEDERAL QUESTIONS : Involved in this action are obvious.

The impairing of obligation of contract Taking of property and holding property in an illegal manner without full and just compensation repugnant to the constitution of these United States in definance of the takingclause of the fifth Amendment as incorporated against the States by Fourteenth Amendment (479 U.S. -- 1986 Jurisdiction.

The flagrant denial of equal protection of the law. as guaranteed by our constitution of these United States.

SEE Federal Rules of Civil Procedure Rule 7 (a) and Rule 8(b) and Rule *8(d) Rule 55 and others.

A complete deprivation of fundamentals of procedural due process of law, appropriate to the circumstances.

In United States v Ritter 10 Cir 273 F 2d 30 32 cert den 362 US 950 S.Ct.863 4 L Ed 2d 869
Occidential Petroleum Corp v Chandler 10 Cir 303 F 2d 55 cert den 372 US 83 S Ct 718 9 L Ed 2d 722 reh den 373 US 915 81 S.Ct. 1288 10 L Ed 2d 201

These Courts hold:

" The jurisdiction of this court to take action to guarantee a fair and impartial trial is no longer open to question, upon an adequate showing this court has held that it has the power and inescapable duty whether under the all writs statute 28 USC s 1651 or under its inherient powers of appellate jurisdiction to effectuate what seems to,us to be manifest ends of justice'

i-In Padovant v Brachenusen 293 F 2d 546

The United States Appeals Court points Out;

" A plaintiff cannot be deprived of his rights without a trial, even if the trial promises to be long and burdensome"

Under the federal rules a Plaintiff pleads facts, not law, and the law is to be supplied by the court" Fed. Rules of Civil Procedure Rule 54 (c) 28 U.S.C.A.

m) * * FRIVOLOUS THIS APPELLANT'S PLEADINGS ARE NOT

In Treat v State ex rel Mitton, 121 Fla 309 So 883

The Court Holds:

"A" Frivolous appeal is one presenting no justiable questions and so readily recognizable as devoid of merit on face of record that there is little prospect that it can ever succeed".

In Erwin v Lowery, 64 N.C. 321
In Strong v Sproul 38 N.Y. 499
In Gray v Gidiere 4 Strob S.C. 442
In re Beam N.J. L. 779 121 A 713 714

The Court Holds:

" Any pleading is called " frivolous" when is clearly insufficient on its face and does not controvert the material points of the opposite pleading and is presumably interposed for mere purpose of delay or to embarrass the apponent"

There is by no stretch of the imagination any part of Appellant's pleadings that is insufficient in substance. All of Appellants pleadings are well grounded in law and well grounded in fact.

THE WHEEL WITHIN A WHEEL CENTRAL-FIGURE

a) Central Figure Schlesinger's own say-so does not constitute " Due Process of

Law" appropriate to the Circumstances.

b) Central-Figure Schlesinger's has record ed, in written form no evidence and reason relied upon for he, Schlesinger, as decisionmaker to rely upon.

c) Central-Figure " Mail Order" Hodges has not abided by due process requirements set forth in Federal Rules of Criminal Procedure Rule 42(a) or Rule 42(b), also this Victim of this Federal conspiracy is entitled to a trial by jury, .

d) The reason for appropraiteness of sanctions is based soley on the meanness and madness of Schlesinger's own Say-so

e) If the District Court has recorded in written form any evidence and any reason for sanctions amounting to ONE HUNDRED THIRTY TWO, THOUSAND THREE HUNDRED EIGHTY THREE AND 38/100th DOLLARS, ($132,383.38

other than the meanness and madness of the Wheel Within A Wheel Conspirators let it be shown on the Docket Sheet.

Otherwise, Pursuant to U.S.C.A. Const Amed. 5, their decisions are void. Any affirmance of a void decision is still VOID, especially, with no evidence and no reason recorded in written form, upon which the decisionmaker's opinion is based. SEE: Morrisey v Brewer 92 S.Ct.@ 2605

SEE ALSO:

JONES V BALES: 38 F.R.D. 453 463 (N.D. 1972) aff'd 480 F 2d 805; (5th Cir 1973)

The Fifth Circuit holds:

" Pro se litigants are not subject to the usual incentives against filing repetitive frivolous or malicious lawsuits They are immune from imposition of costs if they are un-successful and because of their poverty they are practically immune from later tort actions for 'malicious' prosecution or abuse of process"

SUPREM COURT OF THE UNITED STATES
WASHINGTON, D.C.

JOHN G. BARROW Petitioner

VS. CASE NO.

Respondant

****

MOTION FOR LEAVE TO FILE A PETITION FOR WRIT OF CERTIORARI BY A PERSON APPEARING pro se

##########

Comes now, Plaintiff-Appellant-Petitioner John Barrow, requesting leave to file this Petition for Writ of Certiorari as a person appearing pro se.

This Petitioner has tried for years to obtain Counsel, in Georgia, New Jersey, New York Philadelphia, Utah and Texas.

On one occasion Petitioner was told by Race Horse Haines of National Reputation in Dallas Texas that it would cost $5,000.00 for Attorney Haines to look into such an arrangement The Money Order was mailed to Mr Haines, who in a few weeks returned the money order for $5,000.00 expressing his regrets. But no

thanks. You see, the problem is that the News Media has smutted and smeared this Plaintiff-Appellant-Petitioner without mercy world wide for acts not committed by this Petitioner, however all attorneys who express a reason, state that their " Public Relations' will not stand Petitioners adverse publicity. This pro se person should have constitutional rights the same as other persons.

Respectfully Submitted

I HEREBY certify this 1st day of May 1989 that I did furnish a true copy of the above to all Cousel of record.

JOHN G BARROW JR
A Layman without legal education
Rt 1 Box 470
Callahan, Fl 32011
904-845-2475

AFFIDAVIT OF SERVICE OF A PETITION
FOR A WRIT OF CERTIORARI

STATE OF FLORIDA
COUNTY OF NASSAU

Before me, this day personnaly appeared JOH G BARROW JR, who being duly sworn, deposes and says, that I did deliver by United Parcel Service a true copy of this Petition for Certiorari, with First class charges thereon, addressed to all Counsel of Record, this May 1 1989

JOHN G. BARROW JR
A Layman without legal education
Rt 1 Box 410
Callahan, Florida 32011
9040845-2475

Before me, personally appeared.JOHN G BARROW JR, to me well known and know to me to be the person described in and who executed the foregoing instrument and acknowledged to and before me, that he executed said instrument for the purposes therein expressed.
Witness my hand and official seal this day of May 1 A.D. 1989.

Alma M. Barrow
Notary Public
State of Florida